

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request to change from) DOCKET NO. 950062-WU
monthly to quarterly billing) ORDER NO. PSC-95-0326-FOF-WU
cycle in Pasco County by GEM) ISSUED: March 9, 1995
ESTATES UTILITIES, INC.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER APPROVING TARIFF CHANGE TO QUARTERLY BILLING CYCLE

BY THE COMMISSION:

Gem Estates Utilities, Inc., (Gem Estates or utility) is a Class C utility providing water service to 215 customers in a mobile home subdivision in Pasco County. By Order No. PSC-94-1472-FOF-WU, issued November 30, 1994, this Commission granted the utility Certificate No. 563-W and authorized its monthly flat rate of \$4.71. By letter dated January 12, 1995, the utility requested authority to change from monthly to quarterly billing. In support of its request, the utility states its administrative cost of sending bills on a monthly basis is overly burdensome for the small utility. The utility further states that many of its customers consider paying a monthly fee a nuisance because most of them travel north during part of the year. One group of customers sent 7 checks in one envelope to save on postage. After initiating the \$4.71 flat rate billing in January 1995, 49% of the 215 customers have chosen to automatically pay the annual amount due, pay half of the annual amount due, or have called and requested that they be allowed to pay the annual amount in one payment.

We find it appropriate to approve the utility's request to change from monthly to quarterly billing. The utility has filed a revised tariff reflecting the requested quarterly service rate. The utility has requested an April 1, 1995, effective date to coincide with its current billing cycle. Pursuant to Rule 25-30.475, Florida Administrative Code, the effective date of the tariff shall be April 1, 1995, provided the customers have received notice. The tariff sheets shall be approved upon staff's verification that the tariffs are consistent with the our decision,

DOCUMENT NUMBER-DATE

02636 MAR-95

FPSC-RECORDS/REPORTING

that the proposed customer notice is adequate, and that any required security has been provided. The utility shall provide proof that the customers have received notice within 10 days after the date of the notice.

The proposed tariff sheets shall become final if a formal protest is not received from a substantially affected person within 21 days of the issuance date of this Order. If a protest is filed within 21 days of the issuance date of this Order, the tariff shall remain in effect, on an interim basis, with any increase held subject to refund pending resolution of the protest. If no timely protest is filed, this docket shall be closed.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Gem Estates Utilities, Inc.'s tariff request to change its billing cycle from monthly to quarterly billing is hereby approved. It is further

ORDERED that the appropriate flat quarterly rate for Gem Estates Utilities, Inc., is \$14.13. It is further

ORDERED that the tariff shall become effective for services rendered on or after the stamped approval date on the tariff sheets, provided that the customers have received notice. The tariff shall be approved after staff's verification that the tariffs are consistent with the Commission's decision, that the proposed customer notice is adequate, and that any required security has been provided. The utility shall provide proof that the customers have received notice within 10 days after the date of the notice. It is further

ORDERED that the tariff revision approved herein is interim in nature and shall become final unless a substantially affected person files a petition for a formal proceeding which is received by the Director, Division of Records and Reporting, by the date in the Notice of Further Proceedings set forth below. It is further

ORDERED that if a timely protest is filed in accordance with the requirements set forth below, this tariff shall remain in effect pending resolution of the protest. It is further

ORDERED that if no timely protest is filed, this docket shall be closed.

ORDER NO. PSC-95-0326-FOF-WU
DOCKET NO. 950062-WU
PAGE 3

By ORDER of the Florida Public Service Commission, this 9th
day of March, 1995.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(S E A L)

ELS

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on March 30, 1995.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this Order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

ORDER NO. PSC-95-0326-FOF-WU
DOCKET NO. 950062-WU
PAGE 4

If this Order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the date this Order becomes final, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.